

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JERRY BONNET,
individually and on behalf of
all others similarly situated

Plaintiffs,

v.
UNIVERSAL METRICS, INC.,

Defendant.

Case No. 17-CV-1742

ORDER

Having reviewed the Parties' Joint Motion for Preliminary Approval of Collective and Class Action Settlement and its supporting documents, **IT IS HEREBY ORDERED** that:

1. the Parties' Settlement Agreement (Docket # 20-1) is **PRELIMINARILY APPROVED** as a fair, reasonable, and adequate resolution of bona-fide disputes under the FLSA and Wisconsin's wage and hour laws;
2. the Parties' Joint Stipulation to Certify a Collective Action Pursuant to 29 U.S.C. § 216(b) and to Certify a Class Action Pursuant to FED. R. CIV. P. 23 (ECF No. 19) is **GRANTED**;
3. Jerry Bonnett is **APPOINTED** as Class Representative for the 29 U.S.C. § 216(b) collective class and FED. R. CIV. P. 23 class;

4. Hawks Quindel, S.C. is **APPOINTED** as Class Counsel pursuant to FED.R.CIV.P. 23(g);

5. the Parties' proposed Notice of Class Action Settlement and the Consent (Docket # 20-3), is **APPROVED** as the best notice practicable under the circumstances for distribution to all putative members of the Rule 23 Class and Collective Class and approving that the provision of the Notice of Class Action Settlement by mail constitutes valid, due, and sufficient notice to Rule 23 Class and Collective Class Members in full compliance with applicable law, including the due process clause of the United States Constitution;

6. Defense Counsel **SHALL PRODUCE** a class list to Class Counsel as a Microsoft Excel spreadsheet including each putative Class Member's name, street address, city, state, zip code, and phone number (with each piece of data as a separate column) within seven (7) days of the date of this Order;

7. Class Counsel **SHALL MAIL** the Notice of Class Action Settlement to the Class Members within seven (7) days of the Defense Counsel providing a class list as set forth in Paragraph 6 above;

8. any putative member of the Collective Class **SHALL FILE** a Consent Form within thirty (30) days of Notice's mailing in order to assert their FLSA claims as set forth in this matter;

9. any individual who does not wish to take part in the FED. R. CIV. P. 23 settlement **SHALL EXCLUDE** him or herself by opting-out per the instructions set forth in the Notice within thirty (30) days of the mailing of the Notice;

10. any individual who does not exclude themselves from the FED. R. CIV. P. 23 settlement as set forth in Section 9 above **SHALL BE BOUND** by the Court's Order Finally Approving the Settlement;

11. any Rule 23 Class Member who wishes to object in any way to the proposed Settlement Agreement **SHALL FILE AND SERVE** such written objections per the instructions set forth in the Notice no later than thirty (30) days after the mailing of the Notice, together with copies of all papers in support of his or her position; and

12. Class Counsel **SHALL FILE** a Motion for Approval of Attorneys' Fees and Costs at least twenty-one (21) days prior to the Fairness Hearing, and **MAY FILE** a supplemental brief in support of final approval of the Settlement Agreement or in response to any objections to the application for attorneys' fees, if any, at least seven (7) days before the Fairness Hearing; and

13. this Court **SHALL DETERMINE** at the Fairness Hearing on September 13, 2018 in what amount attorneys' fees and reimbursement of costs and expenses should be awarded to Class Counsel and whether to finally approve the settlement agreement as a fair, reasonable, and

adequate resolution of bona-fide disputes under the FLSA and Wisconsin law.

Dated at Milwaukee, Wisconsin this 11th day of July, 2017.

BY THE COURT

s/Nancy Joseph
NANCY JOSEPH
United States Magistrate Judge